

**Response Under 37 CFR § 1.116  
Expedited Procedure—Examining Group 2161  
PATENT**

**CERTIFICATION OF ELECTRONIC SUBMISSION**

I hereby certify that this correspondence is being deposited with the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 via electronic submission on the date shown below.

By: James Kwon

Date: 1/21/09

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applic. No. : 10/728,389 Confirmation No. 9231  
Applicant : Kevin Smith et al.  
Filed : December 5, 2003  
Title : Tissue Retractor and Method for Using the Retractor  
TC/Art Unit : 3773  
Examiner : Julian W. WOO  
  
Docket No. : SYN-8312  
Customer No. : 27,316

**A M E N D M E N T**

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
**Attention: Examiner WOO Tel (571) 272-4707**

**RESPONSE TO FINAL OFFICE ACTION UNDER 37 C.F.R. § 1.116**

Sir:

The following amendment is being submitted in response to the Final Office Action dated November 18, 2008. Please enter and consider the following amendment and remarks and issue the Advisory Action, if any, before the 3-month due date:

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